

Ryan Lucksinger, Chapter 7 Trustee
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
Sacramento Division

In Re,

BOLLINGER, DAVID B.

,Debtor(s)

Case No. 10-24906- C -7

DCN: FRL - 01

DATE: September 7, 2010

TIME: 9:30 a.m.

DEPT: C, Courtroom 35, 6th Floor

**TRUSTEE'S VERIFIED MOTION FOR ORDER ABANDONING REAL PROPERTY
AND VERIFICATION**

Ryan Lucksinger, the duly appointed trustee for the bankruptcy estate of the above-referenced Debtor(s), hereby moves the Court for an order abandoning the estate's interest in the following property of the estate commonly described as:

- 9899 Montegrino Court, Elk Grove, CA 95757 ("Property 1"), &
- 5109 Moon Lily Way, Elk Grove, CA 95757 ("Property 2")

In support of this application the Trustee represents as follows:

1. Bollinger, David B. ("Debtor(s)") filed a Chapter 7 petition on 02/28/10.
2. Ryan Lucksinger has been appointed the Chapter 7 Trustee herein.

The first 341(a) Meeting of Creditors was 04/09/10.

3. **Property 1** - Real property listed in Schedule A and has been valued by the Debtor at \$465,000. The Trustee has researched the value of this real estate and estimates there is negative equity of \$245,572 as a result of the two liens listed in Schedule D; a

1 first is a deed of trust lien in favor of Bank of America in the amount of \$590,996 and
2 the second is a deed of trust lien in favor of HSBC Mortgage Services in the amount
3 of \$119,576.

4 **4. Property 2** - Real property listed in Schedule A and has been valued by the Debtor
5 at \$283,000. The Trustee has researched the value of this real estate and estimates
6 there is negative equity of \$180,499 as a result of the lien listed in Schedule D; a first
7 deed of trust lien in favor of Bank of America Home Loans in the amount of
8 \$463,499.
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11 Based on the scheduled value(s) of the real property, the Trustee's independent
12 investigation ascertaining recent comparable property sales, and the liens on the properties, the
13 Trustee has concluded that the real property has no or inconsequential value and has no benefit
14 to the estate.
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17 **WHEREFORE**, Ryan Lucksinger respectfully requests that the Court enter an order the
18 property described above is abandoned pursuant to 11 U.S.C. §554(a) and granting such other
19 relief as is just and proper.
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21 DATED: **August 4, 2010**

/s/ Ryan Lucksinger
Ryan Lucksinger, Trustee

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27 **VERIFICATION**

28 I, Ryan Lucksinger, hereby declare under penalty of perjury:

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2 1. I am the Trustee in this case.

3 2. I have reviewed the **TRUSTEE'S VERIFIED MOTION FOR ORDER**
4 **ABANDONING REAL PROPERTY AND VERIFICATION** and it is true and correct
5 and if called I would so testify.
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8

9 DATED: August 4, 2010

/s/ Ryan Lucksinger
Ryan Lucksinger, Trustee